

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MW CAPITAL FUNDING, INC.,

Plaintiff,

Case No. 16-14459

v.

HON. GEORGE CARAM STEEH

MAGNUM HEALTH AND REHAB  
OF MONROE, LLC, *et al.*,

Defendants.

ORDER DENYING MICHA'S MOTIONS FOR STAY,  
HEARING, AND RECONSIDERATION (Docs. 133, 134, 135)

MICHA US, LLC seeks reconsideration of the court's February 12, 2019 order granting Benchmark's motion for payment. See Doc. 131.

MICHA also seeks a stay of proceedings and an emergency hearing with regard to its motion to stay.

The standard for granting a motion for reconsideration is as follows:

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration which merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant shall not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case.

LR 7.1(h)(3).

MICHA argues that the court erred in ordering it to pay Benchmark's fee as part of the receivership expenses it agreed to pay under the Sale Order. See Doc. 81 at ¶¶ 1, 11, 23. MICHA contends that it should be permitted to challenge Benchmark's performance under the management agreements as the "assignee" of those agreements. Neither the language of the Sale Order nor any extrinsic evidence supports MICHA's alleged status as an assignee, however. Having re-reviewed the record, including the transcript of the motion hearing and settlement conference before Judge Friedman, the court finds that MICHA has not demonstrated a palpable defect warranting reconsideration. See Doc. 133-2 (transcript) at 19-22, 25-29, 40-47.

IT IS HERBY ORDERED that MICHA's motions for reconsideration (Doc. 133), stay of proceedings (Doc. 134) and hearing (Doc. 135) are DENIED.

Dated: March 7, 2019

s/George Caram Steeh  
GEORGE CARAM STEEH

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on March 7, 2019, by electronic and/or ordinary mail.

s/Marcia Beauchemin  
Deputy Clerk